

FORM PTO-1390 \$
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.
108421-00117

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: April 27, 2005

U.S. APPL. NO. (IF KNOWN, SEE 37
C.F.R. 1.51 New Application)
10/532963

INTERNATIONAL APPLICATION NO.
PCT/JP2003/013415

INTERNATIONAL FILING DATE
October 21, 2003

PRIORITY DATE CLAIMED
October 28, 2002

TITLE OF INVENTION: MEMBRANE ELECTRODE ASSEMBLY FOR POLYMER ELECTROLYTE FUEL CELL

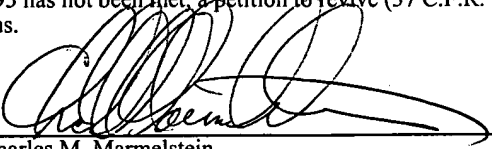
APPLICANT(S) FOR DO/EO/US: Kaoru FUKUDA (Saitama, Japan); Masaki TANI (Saitama, Japan); Hayato KAJI (Saitama, Japan);
Shigeru INAI (Saitama, Japan); Takeshi MURO (Saitama, Japan); and Shinya WATANABE (Saitama, Japan)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected (Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application into English [35 U.S.C. 371(c)(2)].
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 to 20 below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; and PTO-SB08a Form.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Drawings-Figs 1-18 (9 sheets); International Search Report; PCT Request; WO 2004/038836 A1

| | | | | | |
|---|--------------|---|--|-------------------------------------|--------------|
| U.S. APPLN. NO. (IF KNOWN) SEE 37 C.F.R. 1.501 New Application | | INTERNATIONAL APPLICATION NO. PCT/JP2003/013415 | | ATTORNEY DOCKET NO. 108421-00117 | |
| The following fees are submitted: | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic National Fee | | | \$300.00 | \$ 300.00 | |
| 22. <input checked="" type="checkbox"/> Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) | | | \$100.00 | \$ 200.00 | |
| All other situations | | | \$200.00 | | |
| 23. <input checked="" type="checkbox"/> Search Fee Search Fee (37 CFR 1.445(a)(2)) has been paid on the International Application to the USPTO as an International Searching Authority | | | \$100.00 | \$ 400.00 | |
| International Search Report prepared and provided to the Office | | | \$400.00 | | |
| All other situations | | | \$500.00 | | |
| TOTAL OF CALCULATIONS FOR 21, 22 and 23 = | | | | \$ 900.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | Rate | |
| - 100 = | /50 = | | | x \$250.00 | \$ |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)]. | | | | \$ | |
| Claims | Number Filed | Number Extra | Rate | | |
| Total Claims | 6 - 20 = | 0 | x \$ 50.00 | \$ 0 | |
| Independent Claims | 3 - 3 = | 0 | x \$200.00 | \$ 0 | |
| Multiple dependent claim(s) (if applicable) | | | + \$360.00 | \$ 0 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 900.00 | |
| Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28). | | | | \$ | |
| SUBTOTAL = | | | | \$ 900.00 | |
| Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 900.00 | |
| Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property | | | | \$ 40.00 | |
| TOTAL FEES ENCLOSED = | | | | \$ 940.00 | |
| | | | | Amount to be refunded | \$ |
| | | | | Charged | \$ |
| a. <input checked="" type="checkbox"/> Check # _____ in the amount of \$940.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$ _____ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300. | | | | | |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Customer No. 004372 Arent Fox PLLC 1050 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810 | | |  Charles M. Marmelstein Reg. No. 25,895 CMM:ars | | |